



**Minnesota Pollution
Control Agency**

520 Lafayette Road
St. Paul, MN 55155-4194

Hot Mix Asphalt Plants Compliance Audit

40 CFR Part 60 Subpart 1

Environmental Audits

Minnesota Pollution Control Agency (MPCA) compliance audit checklists are designed to assist businesses and MPCA staff with the interpretation of Minnesota's environmental laws and rules. Because the laws and rules are numerous and often complicated, this checklist cannot be a complete guide to all your compliance obligations. If you have questions about the checklist, your obligations, or its conditions that you discover as you complete this evaluation, please contact:

Small Business Environmental Assistance Program (SBEAP)
651-282-6143 or 1-800-657-3938
<http://www.pca.state.mn.us/programs/sbap-sectors.html>

Date of Audit: _____

Company Name: _____

Authorized
Representative Name: _____ Title: _____

Minn. Stat. § 60.90 Applicability And Designation Of Affected Facility

A. A hot mix asphalt (HMA) plant is comprised only of any combination of the following: dryers; systems for screening, handling, storing, and weighing hot aggregate; systems for loading, transferring, and storing mineral filler, systems for mixing HMA; and the loading, transfer, and storage systems associated with emission control systems.

1. Does your HMA facility manufacture HMA by heating and drying aggregate and mixing it with asphalt cement?

- ☐ **YES** We do manufacture HMA by heating and drying aggregate and mixing it with asphalt cement. Continue on to the next question.
- ☐ **NO** We do not manufacture HMA by heating and drying aggregate and mixing with asphalt cement. *You are not subject to 40 CFR, Part 60, Subpart I, Standards of Performance for Hot Mix Asphalt Facilities.* Skip to question 11.

B. Any HMA plant under paragraph (a) of this section that commences construction or modification after June 11, 1973, is subject to the requirements of this subpart.

2. Did your HMA plant commenced construction, modification, or reconstruction after June 11, 1973?

- ☐ **YES** Your plant is subject to 40 CFR Part 60 Subpart I, Standards of Performance for Hot Mix Asphalt Facilities (NSPS).
- ☐ **NO** You are not subject to 40 CFR Part 60 Subpart I, Standards of Performance for Hot Mix Asphalt Facilities. Skip to question 11.

NOTE: Complete and submit form NSPS-I. You can contact SBEAP for a hard copy or find it at <http://www.pca.state.mn.us/publications/forms/eq-f9-nspsi.doc>

Minn. Stat. § 60.92 Standard for Particulate Matter

On and after the date on which the performance test required to be conducted is completed, no owner or operator can discharge into the atmosphere from your asphalt plant any gases which: (1) Contain particulate matter in excess of 90 mg/dscm (0.04 gr/dscf); (2) Exhibit 20 percent opacity, or greater.

3. You must complete a performance test. Did you submit a written notification of testing to the MPCA at least 30 days in advance of the scheduled test date?

- ☐ **YES** You meet this requirement. Continue on.
- ☐ **NO** This is a deviation and needs to be recorded on the DRF-2 form. Continue on.

4. Did you submit a complete test plan to the MPCA at least 30 days in advance of the scheduled test date?

- ☐ **YES** You meet this requirement. Continue on.
- ☐ **NO** This is a deviation and needs to be recorded on the DRF-2 form. Continue on.

NOTE: The applicable asphalt performance test plan can be located at:

<http://www.pca.state.mn.us/publications/forms/aq-f7-ntp-ex04.doc>

5. Did you arrange a pretest meeting with MPCA staff at least seven days before the scheduled test date?

- ☐ **YES** You meet this requirement. Continue on.
- ☐ **NO** This is a deviation and needs to be recorded on the DRF-2 form. Continue on.

6. Have you submitted a complete test report to the MPCA no later than 45 days after completing the test?

- ☐ **YES** You meet this requirement. Continue on.
- ☐ **NO** This is a deviation and needs to be recorded on the DRF-2 form. Continue on.

7. Have you submitted a microfiche copy of the test report to the MPCA, no later than 105 days after completing the test?

- ☐ **YES** You meet this requirement. Continue on.
- ☐ **NO** This is a deviation and needs to be recorded on the DRF-2 form. Continue on.

8. Have you completed performance testing as required by this NSPS and demonstrated that your plant does not exceed the particulate or opacity limits of this NSPS?

- ☐ **YES** We have completed our performance testing as required by Subpart I and do not emit particulate matter in excess of 0.04 grains per standard cubic foot, or exhibit 20 percent opacity or greater. *You meet this requirement.* Continue on.
- ☐ **YES** We have completed our performance testing as required by Subpart I but do emit particulate matter in excess of 0.04 grains per standard cubic foot, or exhibit 20 percent opacity or greater. *This is a deviation and needs to be recorded on the DRF-2 form.* Continue on.
- ☐ **NO** We have not completed our performance testing as required by Subpart I. *This is a deviation and needs to be recorded on the DRF-2 form.* Continue on.

9. Did your testing company use the proper test method U.S. Environmental Protection Agency (EPA) Method 5 for particulate matter and have a test period and sampling volume for each of three (3) test runs of at least 60 minutes and not less than 31.8 dry standard cubic feet of gas collected to determine compliance for particulate matter?

- ☐ **YES** The proper particulate test method, time period, and gas collection were used and obtained.

NOTE: Ensure that the MPCA has reviewed and approved your test report. Continue on.

- ☐ **NO** Either an improper test method, time period or gas collection were used or obtained during the particulate test. *This is a deviation and needs to be recorded on the DRF-2 form.* Continue on.

10. Did your testing company use the proper Method 9 method, and was the opacity test conducted by a certified visible emissions reader?

- ☐ **YES** You meet this requirement. Continue on.
- ☐ **NO** This is a deviation and needs to be recorded on the DRF-2 form. Continue on.

11. Is your HMA plant exempt from NSPS, Sup. I, but considered an “existing HMA plant” and, as such, made subject to Minn. R. 7011.0905? If so, your plant emissions cannot exceed 20 percent opacity.

- ☐ **YES** Our HMA plant is exempt from NSPS, Sup. I, but is considered an “existing HMA plant” and our plant emissions do not exceed 20 percent opacity. This checklist is complete.
- ☐ **NO** We are aware of the required testing but have not conducted any or all of the required testing. *This is a deviation and must be reported on the DRF-2 form.* Complete questions 3 through 10 with respect to not exceeding 20 percent opacity. This checklist is complete.
- ☐ **NO** We have conducted the required testing but have not yet demonstrated compliance with either the particulate or opacity requirements. *This is a deviation and must be reported on the DRF-2 form.* Complete questions 3 through 10 with respect to not exceeding 20 percent opacity. This checklist is complete.

40 CFR Part 60 Subpart I, Standards of Performance for Hot Mix Asphalt Facilities

Section 60.90 Applicability and designation of affected facility

- (a) *The affected facility to which the provisions of this subpart apply is each hot mix asphalt facility. For the purpose of this subpart, a hot mix asphalt facility is comprised only of any combination of the following: dryers; systems for screening, handling, storing, and weighing hot aggregate; systems for loading, transferring, and storing mineral filler, systems for mixing hot mix asphalt; and the loading, transfer, and storage systems associated with emission control systems.*
- (b) *Any facility under paragraph (a) of this section that commences construction or modification after June 11, 1973, is subject to the requirements of this subpart.*

Section 60.91 Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the Act and in subpart A of this part.

- (a) *Hot mix asphalt facility means any facility, as described in §60.90, used to manufacture hot mix asphalt by heating and drying aggregate and mixing with asphalt cements.*

Section 60.92 Standard for particulate matter

- (a) *On and after the date on which the performance test required to be conducted by §60.8 is completed, no owner or operator subject to the provisions of this subpart shall discharge or cause the discharge into the atmosphere from any affected facility any gases which:*
- (1) *Contain particulate matter in excess of 90 mg/dscm (0.04 gr/dscf).*
 - (2) *Exhibit 20 percent opacity, or greater.*

Section 60.93 Test methods and procedures

- (a) *In conducting the performance tests required in §60.8, the owner or operator shall use as reference methods and procedures the test methods in appendix A of this part or other methods and procedures as specified in this section, except as provided in §60.8(b).*
- (b) *The owner or operator shall determine compliance with the particulate matter standards in §60.92 as follows:*
- (1) *Method 5 shall be used to determine the particulate matter concentration. The sampling time and sample volume for each run shall be at least 60 minutes and 0.90 dscm (31.8 dscf).*
 - (2) *Method 9 and the procedures in §60.11 shall be used to determine opacity.*